

Message Text

PAGE 01 USUN N 01147 010207 Z

62

ACTION IO-13

INFO OCT-01 EUR-25 ADP-00 AF-10 ARA-11 EA-11 NEA-10 RSC-01

COA-02 SCI-06 EB-11 OIC-04 CIAE-00 DODE-00 PM-09 H-02

INR-10 L-03 NSAE-00 NSC-10 PA-03 PRS-01 SS-14 USIA-12

ACDA-19 AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04

INT-08 JUSE-00 NSF-04 OMB-01 TRSE-00 RSR-01 /237 W

----- 076884

R 312318 Z MAR 73

FM USMISSKON USUN NY

TO SECSTATE WASHDC 7268

INFO AMEMBASSY HELSINKI

AMEMBASSY LIMA

AMEMBASSY WARSAW

UNCLAS USUN 1147

E. O. 11652: N/A

TAGS: PBOR, UN

SUBJ: LOS: SUBCOMMITTEE III, 5 TH MEETING, MARCH 29

1. IT WAS AGREED THAT WG ON SCIENTIFIC RESEARCH WOULD BE CONSTITUTED IN THE SAME MANNER AS WG 1 OF SUBCOMMITTEE I, AND WG 2 OF SUBCOMMITTEE III. IT WILL HAVE 33 MEMBERS (10 AFRICANS, 7 ASIANS, 4 EAST EUROPEANS, 6 WEST EUROPEANS AND OTHERS, AND 6 LATIN AMERICANS -- IN A PRIVATE CONVERSATION BETWEEN THE U. S. AND THE CHAIRMAN IT WAS MADE CLEAR THAT THE UNITED STATES WOULD BE INCLUDED IN THE WG AND WEOS WOULD HAVE 5 MEMBERS). THE REGIONAL CHAIRMEN WERE REQUESTED TO SUBMIT NAMES OF MEMBERS OF WORKING GROUP. ON THE ISSUE OF THE WG ON SCIENTIFIC RESEARCH, PERU STRESSED THAT THE WG SHOULD ALSO DEAL WITH THE DEVELOPMENT AND TRANSFER OF TECHNOLOGY (ARGENTINA AGREE D). THE CHAIRMAN SAID THAT WG' S MANDATE IS SCIENTIFIC RESEARCH. ONCE THE GENERAL DEBATE ON TRANSFER TECHNOLOGY IS COMPLETED DURING THE SUMMER, THE COMMITTEE CAN CONSIDER WHETHER TO DISCUSS THAT UNCLASSIFIED

PAGE 02 USUN N 01147 010207 Z

SUBJECT IN THE SCIENTIFIC RESEARCH WORKING GROUP OR WHETHER TO CREATE A SEPARATE WG (AS PREVIOUSLY DECIDED).

2. IMCO (MENSA#) REPORTED ON THE STATE OF PREPARATIONS FOR 1973 IMCO CONFERENCE (SEE, A/ AC.138/ SCIII/ L.30). HE BRIEFLY DESCRIBED THE DRAFT CONVENTION AND ITS 5 ANNEXES AS WELL AS THE PROPOSED PROTOCOL TO THE 1969 INTERVENTION CONVENTION. HE INDICATED THAT IMCO SHOULD NOT ENCROACH ON LOS, ALTHOUGH IMCO WILL DECIDE IF THE COASTAL STATE MAY TAKE ENFORCEMENT ACTION ONLY WITHIN THE TERRITORIAL SEA OR WHETHER SUCH ACTION MAY BE TAKEN IN AN UNSPECIFIED AREA BEYOND. IF IMCO ADOPTED THE LATTER COURSE IT WOULD BE LEFT TO LOS TO PROVIDE PRECISE LIMITS. HE APPEALED FOR BROAD PARTICIPATION IN THE CONFERENCE AND INDICATED THAT IT WOULD BE UNFORTUNATE IF STATES DID NOT ATTEND AND THEN CRITICIZED THE RESULTS. HE FURTHER APPEALED FOR COORDINATION OF IMCO AND LOS POSITIONS WITHIN GOVERNMENTS.

3. CANADA (BEESLEY) ENDORSED BROAD PARTICIPATION IN IMCO' S WORK. ON THE QUESTION OF COASTAL STATE ENFORCEMENT, HE WANTED IMCO TO MOVE IN THE DIRECTION OF LOS AND FELT THAT THE IMCO DRAFT DID NOT ADEQUATELY REFLECT CANADIAN VIEW ON THAT MATTER (THE CHAIRMAN INTERRUPTED TO ASK CANADA TO DEAL WITH THE MATTER IN THE WG AS GENERAL DEBATE ON POLLUTION IN THE SUBCOMMITTEE HAD BEEN COMPLETED. HE PERMITTED CANADA TO READ THEIR PROPOSED AMENDMENT TO IMCO ARTICLE 4 INTO THE RECORD BUT WOULD NOT PERMIT DEBATE ON SUBJECT). BEESLEY THEN DISCUSSED CANADA' S PROPOSAL FOR IMCO ARTICLE 4 WHICH WOULD GRANT PORT STATE, FLAG STATE, AND COASTAL STATE JURISDICTION. HE THOUGHT IMCO AND LOS SHOULD TAKE A COORDINATED APPROACH.

4. FINLAND NOTED THAT THERE WERE TWO TRENDS IN THE DEBATE ON RESEARCH, (I) THAT VALUE OF FREEDOM OF RESEARCH IS DEMONSTRATED IN RICH RETURNS, AND (II) THAT THE CASE OF THE DEVELOPING COUNTRIES WHICH WAS PRESENTED BY GHANA AND INDONESIA APPEALS TO THEM. IT IS DESIRABLE TO FORMULATE INTERNATIONAL RULES TO GOVERN MARINE SCIENTIFIC RESEARCH, FOR TWO REASONS (I) TO SAFEGUARD THE PROGRESS OF RESEARCH AGAINST UNNECESSARY RESTRICTIVE MEASURES OF A LOCAL CHARACTER AND (II) TO PROTECT THE SEAS AND ECONOMIC AND OTHER INTERESTS AGAINST THE UNCLASSIFIED

PAGE 03 USUN N 01147 010207 Z

MISUSE OF RESEARCH AND ITS APPLICATION. THE SCOPE OF SCIENTIFIC RESEARCH SHOULD BE DEFINED AND A USEFUL DISTINCTION COULD BE MADE BETWEEN " GENERAL MARINE SCIENTIFIC RESEARCH," (ALL KINDS OF BONAFIDE MARINE SCIENTIFIC RESEARCH FOR NONCOMMERCIAL PURPOSES) AND " MARINE SCIENTIFIC RESEARCH AIMED AT EXPLOITATION OF MARINE RESOURCES" (ALL OTHER RESEARCH). EVERY STATE HAS THE RIGHT TO CONDUCT BOTH TYPES OF RESEARCH ON THE HIGH SEAS. THEY QUOTED APPROVINGLY ARTICLE 5(8) OF THE

CONTINENTAL SHELF CONVENTION ALTHOUGH THEY FAVORED CUTTING RED TAPE. WHILE NOT TAKING A STAND ON ECONOMIC ZONES, THE PRINCIPLES CONTAINED IN THAT ARTICLE COULD PROVIDE THE BASIS FOR RULES WITHIN SUCH A ZONE. IF THE COASTAL STATE PERMITS SCIENTIFIC RESEARCH IN SUCH A ZONE, IT COULD REQUIRE SHARING OF SAMPLES, DATA, ETC.

5. ICELAND STRESSED THE IMPORTANCE OF SCIENTIFIC RESEARCH AND LOOKED FORWARD TO A FRUITFUL DEBATE IN THE WG.

6. U. S. CALLED FOR BROAD PARTICIPATION IN THE FORTHCOMING IMCO CONFERENCE. THEN DR. HANDLER (PRESIDENT OF THE NATIONAL ACADEMY OF SCIENCES) PRESENTED HIS VIEWS ON THE ISSUE OF PROMOTING MARINE SCIENTIFIC RESEARCH (POUCHED SEPARATELY). HE STRESSED THE BENEFITS TO BE DERIVED FROM SCIENTIFIC RESEARCH AND INDICATED CONCERN SHOULD SCIENTIFIC RESEARCH BE SUBJECTED TO COASTAL STATE CONTROL IN A MARITIME ZONE BEYOND THE TERRITORIAL SEA. NEVERTHELESS, HE ACKNOWLEDGED THE FEARS OF DEVELOPING COASTAL STATES. HE REITERATED THE NATIONAL ACADEMY' S PROPOSAL THAT " OPEN SCIENTIFIC RESEARCH" AND " LIMITED COMMERCIAL EXPLORATION" BE DISTINGUISHED AND THAT OPEN RESEARCH IN THE TERRITORIAL SEA BE PERMITTED IF REASONABLE ADVANCE NOTICE, COASTAL STATE PARTICIPATION, SHARING OF DATA AND SAMPLES, AND RESULTS AND ASSURANCES THAT THE ACTIVITIES PRESENT NO HAZARD TO THE RESOURCES OR USES OF THE SEA OR SEABED BE PROVIDED TO THE COASTAL STATE.

7. POLAND WANTED LOS TO FOSTER MARINE SCIENTIFIC RESEARCH. THEY FAVOURED PRESERVATION OF THE FREEDOM OF RESEARCH ON THE HIGH SEAS. THEY STRESSED THE NEED FOR BROAD INTERNATIONAL COOPERATION, AND ENCOURAGED EFFORTS TO PROVIDE ASSISTANCE TO LESS DEVELOPED COUNTRIES AND OTHERS LIKE
UNCLASSIFIED

PAGE 04 USUN N 01147 010207 Z

THEMSELVES.

8. PERU SAID RESEARCH WITHIN NATIONAL JURISDICTION REQUIRES COASTAL STATE CONSENT WHILE RESEARCH OUTSIDE NATIONAL JURISDICTION MUST BE FOR PEACEFUL PURPOSES, FOR THE BENEFIT OF ALL MANKIND, ESPECIALLY THE NEEDS OF THE LDCS AND THAT IT BE REGULATED SO THAT THE TECHNOLOGY GAP BETWEEN LDCS AND DEVELOPED COUNTRIES DOES NOT INCREASE. WITH RESPECT TO HANDLER' S SPEECH, HE UNDERSTOOD CONCERNS OF THE SCIENTIFIC COMMUNITY ABOUT COASTAL STATE REGULATIONS BEYOND 12 MILES. HOWEVER, THAT COMMUNITY IS NOT THE ONLY ONE INTERESTED IN THE OCEANS. OPEN RESEARCH IS POTENTIALLY APPLIED RESEARCH. FREEDOM OF SCIENTIFIC RESEARCH WOULD RESULT IN ANARCHY. PERU PERMITS FOREIGN SHIPS TO CONDUCT RESEARCH WITHIN NATIONAL JURISDICTION UNDER NATIONAL REGULATIONS WHICH DO NOT SEEM TO HAVE

CAUSED ANY PROBLEMS TO FOREIGN RESEARCHERS.

SCHAUFLE

UNCLASSIFIED

<< END OF DOCUMENT >>

Message Attributes

Automatic Decaptioning: X
Capture Date: 02 APR 1999
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 31 MAR 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973USUNN01147
Document Source: ADS
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Film Number: n/a
From: USMISSKON USUN NY
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730347/abqcdyah.tel
Line Count: 167
Locator: TEXT ON-LINE
Office: n/a
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators:
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: kellerpr
Review Comment: n/a
Review Content Flags:
Review Date: 10 SEP 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <10-Sep-2001 by maustmc>; APPROVED <08-Jan-2002 by kellerpr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LOS: SUBCOMMITTEE III, 5 TH MEETING, MARCH 29
TAGS: PBOR, UN
To: STATE INFO HELSINKI
LIMA
WARSAW
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005